

MUSEUM OF THE ALBEMARLE

Building Use Policy and Requirements

Thank you for choosing the Museum of the Albemarle (hereinafter "Museum") for your event. The Museum is a state-supported institution that receives wide monetary support from the community for the education and enjoyment of the public. Its building and treasures are unique, and their protection is the responsibility of the Museum staff. The use of the Museum's facilities is made available to certain groups, individuals, corporations, agencies of the State, and nonprofit organizations (hereinafter "User") under specific conditions outlined below, for the purpose of making the Museum and its programs more widely known to the public. The fees charged are to reimburse the institution for its overhead expenses and to cover wear and tear of its facilities.

Event Information

1. Events may be held from 9:00 a.m. until midnight with the exception of the lobby, which is available from 5:00 p.m. until midnight. The Museum observes all state holidays and is not available for events on those days. When proposed events conflict with Museum programs and activities, Museum programs take precedence.
 - a. Daytime events scheduled to begin before normal operating hours (Monday-Friday from 8am-5pm and Saturday from 10am-4pm) incur additional fees. All Sunday events will be charged after hours rates.
2. All events are subject to approval by the Museum Director's office. The Museum reserves the right to refuse rentals on the basis of unlawful conduct, availability or safety of the proposed event as it pertains to the preservation of the Museum as determined by Museum representatives.
3. User shall conduct the event in an orderly manner and in full compliance with all applicable laws, rules and regulations. The Museum reserves the right to conclude any event at any time due to inappropriate or undesirable behavior by User or User's guests as determined by Museum staff. Such cancellation shall result in the forfeiture of all monies paid to the Museum by User.
4. User shall provide the name of **ONE** designated contact person for event arrangements.
5. The Museum's special events coordinator or a designee must be present during the setup, event, and cleanup periods.
6. User shall not exceed maximum occupancy per rental area. See price guide for maximum occupancy per area.
7. Fire lanes must be clear at all times. Event guests must evacuate the building immediately if fire alarm sounds. Event guests may not re-enter the building until the all clear is given by Museum personnel.
8. Children attending events must be under parental supervision at all times.
9. User or designee must remain on premises until all invited guests have departed.
10. Smoking is prohibited in the Museum. Eating and drinking are restricted to the authorized areas of the Museum. Food and beverages are not allowed in the exhibit galleries or the Museum Auditorium.
11. The Museum shall not be responsible for any items or property belonging to guests that are lost, stolen, damaged, or destroyed while on the Museum's premises.
12. With the exception of nonprofit organizations, units of local government, and political organizations, groups are not permitted to charge guests an admission or other fee.

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13. Users holding events at the Museum must have all invitations, posters and advertizing approved by Museum staff prior to printing. This ensures the quality of the Museum's name, as well as the accuracy of the information related to your event.
14. Failure to comply with any clause of the contract may result in the termination of your contracted event.
15. The controlling government authority for Museum facilities shall be the director of the Division of State History Museums of the Department of Cultural Resources.

Reservations, Fees, and Services

1. The reservation is confirmed when the event description, date, time, location, and number of guests are agreed to in writing by the Museum, a sample invitation or announcement of the event has been approved by the Museum prior to printing, AND
 - a. **A nonrefundable deposit of \$100 is received to reserve the space or spaces requested. 50% of the balance is to be paid 30 days prior to the event date and the remaining balance is to be paid 10 business days prior to the event.**
 - b. **The Museum accepts cash and check deposits. Any check returned for insufficient funds, or for any other reason, shall be assessed a returned check fee in the amount of (no less than) \$25.00, but (no more than) \$35.00 pursuant to N.C.G.S. § 54B-147. Payment for the returned check and any collection fees associated with the collection of the check must be paid by certified cashier's check or money order.**
 - c. **LIABILITY FOR AND PROMISE TO PAY COLLECTION EXPENSES. I understand that if the Museum considers it necessary to refer all or part of the unpaid delinquent account, including principal and any interest or late fees as evidenced by this contract to an attorney or collection agency for collection, I am liable for and shall pay the Museum the attorney fees and/or collection agency fees resulting from the referral. I understand that I am obligated to pay all charges and other costs, including attorney fees, that are allowed by federal and state laws and regulations that are necessary for the collection of these amounts.**
2. Overtime charges of \$100.00 per hour may be incurred if the event exceeds its scheduled booking time.
3. The rental group and/or caterer are responsible for set-up, breakdown, and removal of decorations, food and beverages. Cleanup is to be done within contracted rental period and ensuring the Museum premises are restored to their original condition after the event's conclusion.
*Failure to complete required cleaning will result in a \$250 fee.
4. Security personnel are on site for the safety of the guests as well as for the safety of the Museum property. Security personnel are under direct supervision of the Museum, and only Museum personnel are to give instructions to security. Museum personnel must make all security arrangements. An Elizabeth City Police officer or Pasquotank County Sheriff's Deputy are required to be present for every event serving alcohol.
5. Audiovisual Equipment—Audiovisual technician and equipment are available upon request. All A/V requests must be finalized and submitted to the special events coordinator no later than **one week** prior to event. The Museum cannot guarantee that it shall be able to honor any requests received less than one week prior to the event. Lectern and Microphone (No Charge). All other Audio Visual equipment is charged a flat rate for usage.
6. Museum installations shall not be moved or dismantled for events. This includes any temporary exhibition that may occupy rental space at the time of the scheduled event and that may not have been present at the time Users visited the space and/or entered into a contract for the rental of the space.

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7. If User secures additional outside rental equipment, Museum personnel are not responsible for moving, setting up or taking down any outside rental items. Such equipment must be approved in advance by the Museum special events coordinator.
8. Gift Shop—The Museum Shop can be opened during your event. See the special events coordinator for rates and availability.
9. Parking—During evening hours and on weekends, event guests may use provided Museum parking. Additional parking is located to the front of the Museum at Waterfront Park, as well as to the side of the Museum in the city's public parking lot. The Museum's back parking lot is restricted to Museum personnel and delivery personnel only.
10. Event Equipment—A limited number of tables and rental chairs are available upon request (fees apply).

Food Service

1. Users that wish to have food at an event must select a caterer from the Museum's approved list. Only foodstuffs prepared by an approved caterer or bakery shall be allowed.
2. Donated or homemade food and beverages shall not be allowed.
3. While food may be served, it **may not be sold** on site without prior written approval by Museum Director.
4. **NO COOKING OF ANY KIND** shall be allowed inside Museum facilities. This includes cooking with any type of electric appliance, deep fryers and woks. Approved caterers may warm food on site in the Museum catering kitchen, which is equipped with warmers.
5. Caterers must carry liability insurance against food spoilage and handling.
6. A certificate of insurance coverage with a carrier obtained by User or User's caterer shall be submitted to the special events coordinator not less than two weeks prior to the date of the event. The policy shall name the North Carolina Department of Cultural Resources as insured and must preclude any right of subrogation against such agency and its officers, employees, representatives, and agents. The Museum Director or a designee may cancel the reservation or prohibit service of food at his or her discretion.

Decorations

1. All rentals, floral arrangements, decorations, music, and contracted services must be approved 10 working days prior to the event. All rentals, floral arrangements, and decorations must be removed at the end of the event. Any items left at the end of the event shall be disposed of at the discretion of the Museum special events coordinator.
2. A schedule of all deliveries must be submitted one week prior to the event.
3. **No decorations or signs may be adhered to museum walls, doors, exhibits, or windows.**
4. Cut flowers provided by a florist may be used in the lobby, balcony, and Gaither Auditorium. Potted plants from a florist may also be used provided that the Museum special events coordinator approves them. Field or wild grown plant materials are not permitted in the Museum.
5. **Tapered candles, oil lamps, torches and any open flames are prohibited inside the Museum.** For outdoor spaces, all candles must be enclosed in glass and the flame tip must be at least 1" below the lip of the container.

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6. Sparkler send-offs are permitted **outside** the Museum. See special events coordinator for details.
7. Events requiring a rehearsal are allowed a one hour rehearsal, during business hours, as available. See special event coordinator for details.
8. Bio-degradable confetti, glitter, balloons, bubbles, sparklers, streamers, rice, bird seed, fog machines, etc. are not allowed *in* the Museum. Many of the foregoing items are also not allowed outside the Museum. Glitter and rice are prohibited in all Museum areas. See special event coordinator for details.
9. Live animals (service animals excluded) are not allowed in the Museum.
10. Cell phones must be turned off and not used inside the Museum.

Alcoholic Beverages

1. Possession and consumption of alcoholic beverages within Museum facilities are permitted if Users:
 - a. obtain applicable permits from the Alcoholic Beverage Control (ABC) Commission if required by North Carolina law for any event at which alcoholic beverages are served or where event guests must pay to participate or pay for any alcoholic beverages,
 - b. receive written permission from the Museum Director or special events coordinator as required of the permit application process and present that application to the special events coordinator at least 30 days prior to the scheduled event (although permit review and approval times by the ABC Commission may vary),
 - c. sell or provide the alcoholic beverages in a manner that does not impair normal operations of state offices located in the building if the event is held during operating hours,
 - d. sell or provide alcoholic beverages only in connection with an approved event in the building,
 - e. provide, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of North Carolina from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic beverages,
 - f. display a copy of the ABC permit at the bar areas during the event,
 - g. require that liquor servers take proper precautions to ensure that guests are not served inappropriate amounts of alcohol, that no one under 21 years of age is served alcohol, and that guests seeking to purchase alcoholic beverages are not refused service based solely on their race, religion, color, national origin, sex, or disability,
 - h. comply with all state and local ABC Commission laws, rules, and ordinances, and
 - i. comply with all requirements established by the Museum for the selling or serving of alcoholic beverages.
2. All alcoholic beverages must be purchased through and subsequently served and/or sold (depending on the type of permit obtained if required) to guests at the event by an approved caterer. If the approved caterer can provide beer and wine but cannot provide liquor, Users may purchase liquor to be subsequently **served** at the event by an approved caterer if they have obtained a limited special occasion permit (see Addendum A), or subsequently **served and sold** to guests by an approved caterer if the User is a unit of local government, nonprofit organization, or a political organization who has obtained a special one-time permit (see Addendum A).
3. User must inform the special events coordinator at a minimum of 30 days in advance of the approved event if alcoholic beverages are to be sold or served (fees apply).
4. If alcoholic beverages are to be sold or served, User or its catering service shall provide as previously noted a dram shop policy in which User or its catering service provides liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of North

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Carolina and the Museum of the Friends of the Museum of the Albemarle from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic beverages. If the User purchases liquor to be subsequently served and/or sold by an approved caterer (depending on the type of permit obtained if required), the User must also provide this insurance policy. The dram shop policy shall provide the following limit of liability:

- a. \$1,000,000 combined single limit for bodily injury and property damage to any and all persons caused by any intoxicated person and means of support to any and all persons caused by or in consequence of any intoxicated person
 - b. For any event involving alcohol, general liability insurance shall also be provided by the User with coverage limits of no less than:
 - i. bodily injury (including death)- \$100,000 each person and \$500,000 per occurrence
 - ii. property damage- \$100,000 per occurrence
5. A certificate of such insurance coverage with a carrier for the foregoing policy shall be submitted to the Museum Director's office or special events coordinator not less than two weeks prior to the date of the event in a form satisfactory to the Museum. The policy shall name the North Carolina Department of Cultural Resources as insured and must preclude any right of subrogation against such agency and its officers, employees, representative, and agents. The director or a designee may cancel the reservation or prohibit the service of alcohol at his or her discretion.
6. Users may not charge admission, sell tickets, have cash bars, or collect money at any event at which alcohol is served unless User is a nonprofit organization, political organization, or unit of local government that has obtained a permit approved by the ABC Commission as provided in Addendum A.
7. User or User's caterer is responsible for ensuring bartenders are 21 years of age or older and are checking the age of each person to whom they serve alcohol. All persons being served alcohol must be 21 years of age. Users or User's caterer must also comply with state laws regulating age requirements for the serving and selling of alcoholic beverages.
8. Alcoholic beverages shall not be carried from Museum areas or removed from Museum grounds.
9. All serving of alcoholic beverages for events must cease at least fifteen (15) minutes before the scheduled end of the approved event. No alcoholic beverages may be sold or served at events before noon on Sundays.

User agrees to hold the North Carolina Department of Cultural Resources, its employees, the Museum Director, members of the North Carolina Historical Commission, the State of North Carolina, the Museum of the Albemarle, Friends of the Museum of the Albemarle, harmless of all claims that arise out of User's use of the facilities.

There shall be no changes or exceptions to the preceding rules without written confirmation by the director of the Museum or his/her designee. Copies of such correspondence shall be sent to the special events coordinator.

Building Use Policies and Requirements may change without notice.

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Addendum A
***ABC Permit Regulations**

The Commission may authorize the issuance of a limited special occasion permit for certain functions or activities as described below. The fee for each permit is \$50.00.

A limited special occasion permit authorizes the permittee to bring fortified wine and spirituous liquor onto the premises of a business, with the permission of the owner of that property, and to **serve** those alcoholic beverages to the permittee's guests at a **reception, wedding, party or other special occasion** being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held. To obtain this permit, complete an Application for Limited Special Occasion Permit and submit the application with the \$50 fee.

The Commission may authorize the issuance of a special one-time permit for certain functions or activities as described below. The fee for each permit is \$50.00.

A permit may be issued to a person who acquires ownership or possession of alcoholic beverages through **bankruptcy, inheritance, foreclosure, judicial sale, or other special occurrence**, and who does not already have a permit authorizing the sale of that kind of alcoholic beverage. The permit may authorize the sale or other disposition of the alcoholic beverages in a manner prescribed by the Commission. To obtain this permit, complete a Special One-Time Permit Application and submit the application with the above fee.

A permit may be issued to a **nonprofit organization** to allow the **retail sale** of malt beverages, unfortified wine, fortified wine, or mixed beverages, or to allow brown bagging, at a single fund-raising event of that organization. A permit for this purpose shall not be issued for the sale of any kind of alcoholic beverage in a jurisdiction where the sale of that alcoholic beverage is not lawful. To obtain this permit, complete a Special One-Time Permit Application for Sale of Alcoholic Beverages and submit the application with the above fee amount.

A permit may be issued to a permittee who is **going out of business** to authorize the sale or other disposition of his or her alcoholic beverages stock in a manner that would not otherwise be authorized under his or her permit. To obtain this permit, complete a Special One-Time Permit Application and submit the application with the above fee amount.

A permit may be issued to a **collector of wine or decorative decanters of spirituous liquor** authorizing that person to bring into the State, transport, or possess as a collector, a greater amount of those alcoholic beverages than is otherwise authorized by the ABC Commission, or to sell those alcoholic beverages in a manner prescribed by the ABC Commission. To obtain this permit, complete a Special One-Time Permit Application and submit the application with the above fee amount.

A permit may be issued to a **unit of local government, or to a nonprofit organization or a political organization** to **serve** wine, malt beverages, and spirituous liquor at a ticketed event held to allow the organization to raise funds. For purposes of this subdivision "nonprofit organization" means an organization that is exempt from taxation under Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the Internal Revenue Code or is exempt from similar provisions of the General Statutes as a bona fide nonprofit charitable, civic, religious, fraternal, patriotic, or veterans' organization or as a nonprofit volunteer fire department, or as a nonprofit volunteer rescue squad or a bona fide homeowners' or property owners' association. For purposes of this subdivision "political organization" means an organization covered by the provisions of GS 163-96(a)(1) or (2) or a campaign organization established by or for a person who is a candidate who has filed a notice of candidacy, paid the filing fees or filed the required petition, and been certified as a candidate. The issuance of this permit shall also allow the issuance of a purchase-transportation permit under GS 18B-403 and 18B-404 and the use for culinary purposes of spirituous liquor lawfully purchased for use in mixed beverages. To obtain this permit, complete a Special One-Time Permit Application for Sale of Alcoholic Beverages and submit the application with the above fee amount.

Permits under this section are to be issued only for limited circumstances and not as substitutes for other retail permits. Special one-time permits shall be valid only for the single transaction or the kind of activity specified in the permit and shall be subject to any conditions the ABC Commission may impose as to the time, place and manner of the authorized activity. Denial or revocation of a permit under this section shall not entitle the applicant or permittee to a hearing.

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